



County of Los Angeles
CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

July 19, 2004

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To: Supervisor Don Knabe, Chairman
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Supervisor Michael D. Antonovich

From: David E. Janssen
Chief Administrative Officer

MOTION TO PROVIDE CONTRACTING AUTHORITY TO THE AGRICULTURAL COMMISSIONER/DIRECTOR OF WEIGHTS AND MEASURES (AGENDA ITEM NO. 57-C FOR TUESDAY, JULY 20, 2004)

Item number 57-C on the Board's July 20, 2004 agenda is a motion by Supervisor Antonovich to allow the Agricultural Commissioner/Director of Weights and Measures (ACWM) to extend its agreement on a month-to-month basis with the California Department of Food and Agriculture (CDFA) for the Fruit Fly Detection program, pending action on AB 1896 (Horton).

AB 1896 affects ACWM's contracts with the State for insect detection services by requiring the County to make Agricultural Inspector Aides, for whom there is year-round work, permanent employees. The bill would also require the County to phase-in this requirement, with 50 percent of the workers achieving permanent status in FY 2005-06 and the remainder in FY 2006-07. The County is opposed to AB 1896 because it does not provide funding.

Last year, the Governor signed AB 185 (Horton), which prohibited the State from entering into agreements with the County unless Agricultural Inspector Aides, performing services under these agreements, were made permanent employees by July 1, 2004. The County's original position on AB 185 was to support the legislation because funding was provided. However, the bill was amended at the end of session to remove the funding. Consequently, the County changed its position to oppose, on September 15, 2003, and requested a veto because of the lack of funding. AB 1896 attempts to soften the impact of AB 185 by giving the County more time to make these employees permanent.

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Over the past several months, the Agricultural Commissioner, his staff, and our Sacramento Advocates have met frequently with the CDFA, the author's office, and sponsors of AB 1896 to remedy the problems created by AB 185. The County has consistently communicated to supporters of AB 1896 that although the bill gives the County more time to make the affected positions permanent, it does not address the primary concern of funding. To date, we understand \$550,000 has been included for this program in the 2004-05 budget bill for CDFA, and trailer bill language is being considered to provide authority for a continuous appropriation in subsequent years.

AB 1896 is pending action on the Senate Floor. It is sponsored by the American Federation of State Municipal and County Employees (AFSMCE). The bill is opposed by the California Agricultural Commissioners and Sealers Association.

Because of the interest in maintaining the program, and the legislative process related to AB 1896 has yet to conclude, the CDFA has provided funding to allow for a one-month extension of their 2003-04 agreement through July 30, 2004 within the Agricultural Commissioner's delegated authority. However, ACWM does not have the authority to extend further. Supervisor Antonovich's motion would provide ACWM with month-to-month authority, and would prevent program disruption. **ACWM and my office concur with Supervisor Antonovich's motion.**

DEJ:GK
MAL:JF:ib

c: Executive Officer, Board of Supervisors
 County Counsel
 Agricultural Commissioner